



**US Army Corps  
of Engineers®**

Nashville District

# Public Notice

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Public Notice No. 04-25

Date: May 3, 2004

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Application No. 2002-01792

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**Please address all written responses, by June 3, 2004, to:**

Nashville District Corps of Engineers, Regulatory Branch

3701 Bell Road, Nashville, TN 37214

Attn: Lisa Morris, telephone 615/369-7504, fax 615/369-7501

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**JOINT PUBLIC NOTICE**  
**US ARMY CORPS OF ENGINEERS**  
**STATE OF TENNESSEE**

**SUBJECT:** Proposed Deposit of Fill Material Associated with Channel Relocation of Vaughn Creek Between Miles 0.2 and 0.4, Davidson County, TN (Ensworth High School)

**TO ALL CONCERNED:** The application described below has been submitted for a Department of the Army (DA) Permit pursuant to **Section 404 of the Clean Water Act (CWA)**. Before a permit can be issued, certification must be provided by the state of Tennessee, Department of Environment and Conservation, (TDEC), Division of Water Pollution Control, pursuant to Section 401(a)(1) of the CWA, that applicable water quality standards will not be violated. By copy of this notice, the applicant hereby applies for the required certification.

**APPLICANT:** The Ensworth School  
211 Ensworth Avenue  
Nashville, TN 37205

**LOCATION:** Vaughn Creek Miles 0.2 to 0.4, adjoining Edwin Warner Park and alongside Highway 100, Davidson County, TN. Vaughn Creek is a tributary of the Little Harpeth River at Mile 0.5, Right Bank, which runs through Devon Farm, a property listed on the National Register of Historic Places. See location map, USGS – Bellevue Quad; lat: 36-03-30; lon 86-55-16, Exhibit A.

**DESCRIPTION OF PROPOSED WORK:** The applicant proposes to fill and relocate approximately 800 feet of stream channel that runs alongside existing two-lane Highway 100. The perennial stream channel in this reach has varying widths of between 10 and 15 feet and was relocated over thirty years ago during construction of Highway 100, exhibits little sinuosity, and has ordinary flow water depths ranging from a few inches to 3 feet. Headwater flows through

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the stream originate from the adjoining property, Edwin Warner Park. The channel along the highway is generally characterized by a uniform U-shape with banks of roughly equal height above the base channel. The south bank of the channel consists of natural soils and the north bank consists of primarily riprap and road base materials overlying rock. The existing mature trees along the channel would be removed under the proposed plan. The primary substrate of the creek contains horizontally bedded slabs with moderately smooth and level surfaces with chert gravel, sand, and silt deposits in the joints. The applicant proposes construct a new channel with varying widths of between 10 and 15 feet about 60 feet south of the existing. Plans show that it would gently meander between its existing location and a constructed pond on Ensworth property. Native trees would be planted on 20-foot centers along both sides of the new channel. Once the new channel has been established and stabilized, the upstream flows would be diverted and the existing channel would be filled with dirt and rock from the construction project in order to create a base for the proposed turning lane. The applicant stated that the purpose of the work is to accommodate road widening to (1) provide a continuous turning lane with a controlled (signalized) entrance to stack traffic turning into the school, currently under construction, and (2) meet conditions of the school's building permit relating to traffic control.

Plans of the proposed work are attached.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the work, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal.

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To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

An EA will be prepared by this office prior to a final decision concerning issuance or denial of the requested DA Permit.

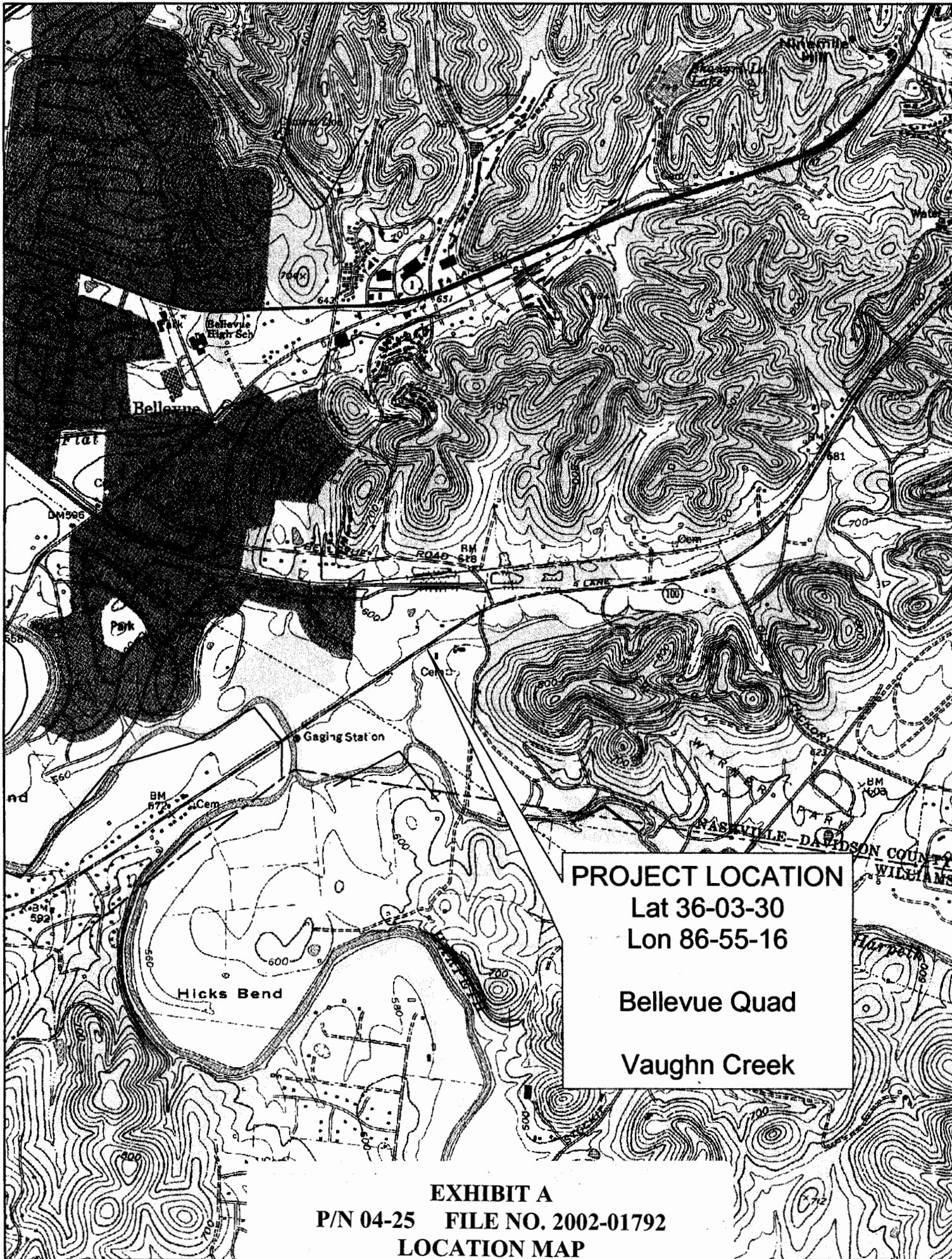
The National Register of Historic Places has been consulted and a single historic property, the Devon Farm, has been previously identified within the permit area, and other, as yet unidentified, historic properties may occur. The Corps will be addressing its historic property compliance requirements pursuant to Section 106 of the National Historic Preservation Act. Copies of this notice are being sent to the Tennessee State Historic Preservation Officer and other parties having consultative roles in the Section 106 process.

Based upon available information, the proposed work would not destroy or endanger any federally-listed, threatened, or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination and initiation of formal consultation procedures with the US Fish and Wildlife Service is not planned at this time.

In addition to the DA permit and state water quality certification, other federal, state, and/or local approvals may be required for the proposed work.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a hearing. **Written statements received in this office on or before June 3, 2004, will become a part of the record and will be considered in the determination. Responses and comments to this notice should be directed to the Regulatory Branch, Attn: Lisa Morris, at the above address.**

It is not necessary to comment separately to TDEC since copies of all comments will be sent to them and will become part of their records on the proposal. Questions regarding the water quality certification can be directed to TDEC (NRS File #03.29), Attn: Dorsey Horne, 7<sup>th</sup> Floor, L&C Annex, 401 Church Street, Nashville, TN 37243-1534.



**PROJECT LOCATION**

Lat 36-03-30

Lon 86-55-16

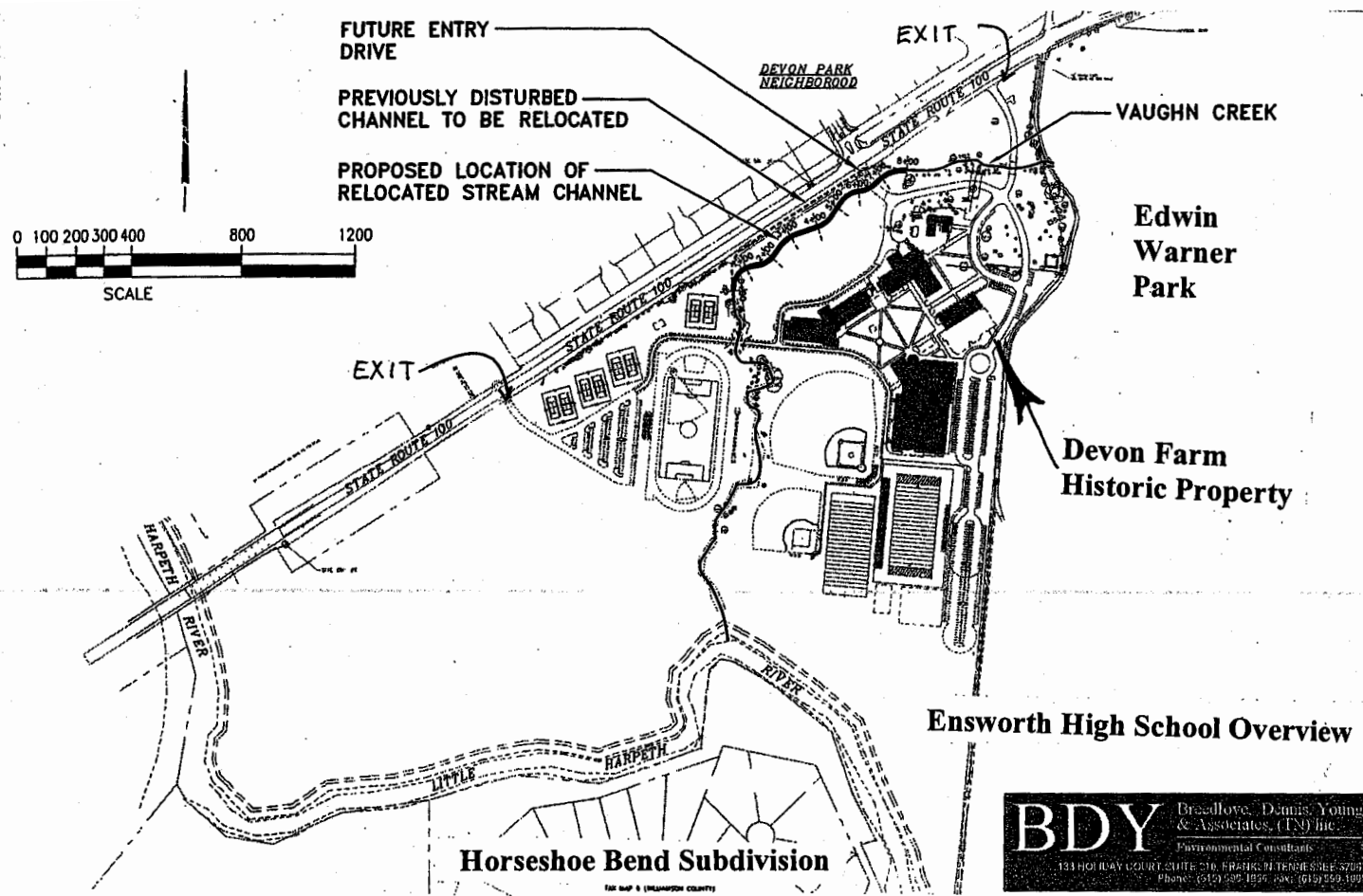
Bellevue Quad

Vaughn Creek

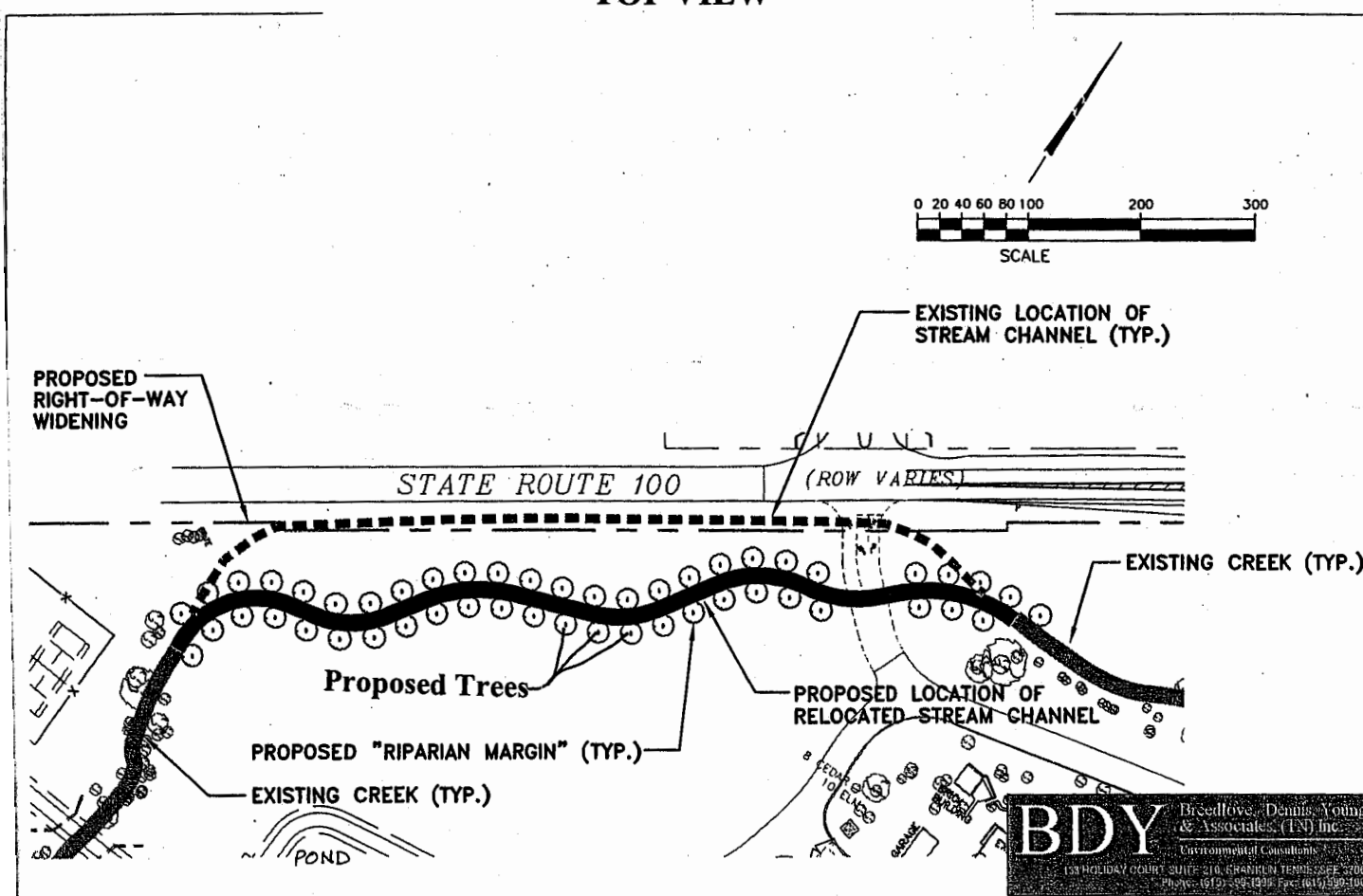
**EXHIBIT A**

**P/N 04-25 FILE NO. 2002-01792**

**LOCATION MAP**



**EXHIBIT B**  
**P/N 04-25 FILE NO. 2002-01792**  
**TOP VIEW**



**LITTLEJOHN ENGINEERING ASSOCIATES, INC.**  
 ENGINEERING - PLANNING  
 SURVEYING - DESIGN  
 LAND DEVELOPMENT  
 AND TRAFFIC ENGINEERING  
 200 SOUTH FIRST AVENUE SUITE 200  
 HARTFORD, CONNECTICUT 06103  
 PHONE (860) 261-1100 FAX (860) 261-1101

**Ensworth High School**

CLIENT NAME  
 SHEET NUMBER  
 OF 20  
 PAGE 1

**C2.0**  
 PROPOSED CHANNEL RELOCATION

**LITTLEJOHN ENGINEERING ASSOCIATES, INC.**  
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**C5.0**  
 CHANNEL COURSE OF PROPOSED STREAM RELOCATION



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LANDSCAPE ARCHITECTURE  
LAND SURVEYING  
CIVIL ENGINEERING  
HYDROLOGICAL ENGINEERING  
WATER RESOURCES ENGINEERING  
TRANSPORTATION ENGINEERING  
ENVIRONMENTAL ENGINEERING

Ensworth  
High School

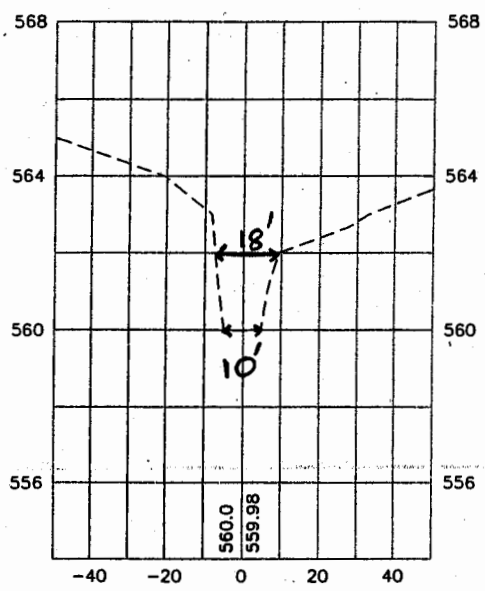
CLIENT  
NAME  
PROJECT ADDRESS  
CITY, ST. ZIP  
PHONE

DATE	PROJECT NO.

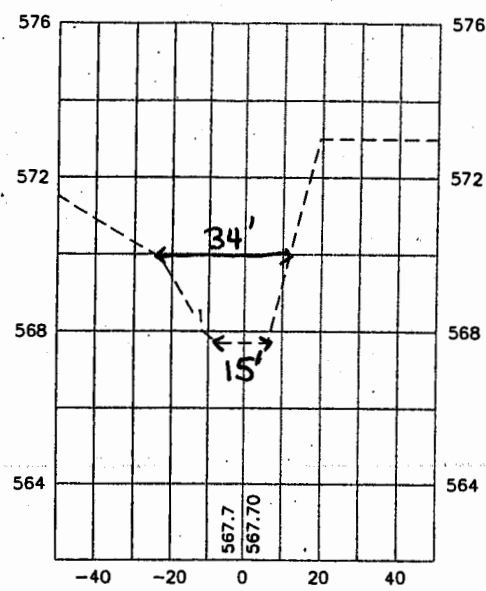
DATE	PROJECT NO.

C3.0  
UNDISTURBED  
EXISTING  
CHANNEL

0+88



10+42



Proposed Channel Section

**BDY** Broadbent, Dennis, Young  
& Associates, (TN) Inc.  
Environmental Consultants  
133 HOLIDAY COURT, SUITE 210, CHANDLER, TENNESSEE 37024  
Phone: (615) 599-1246 Fax: (615) 599-1303



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Ensworth  
High School

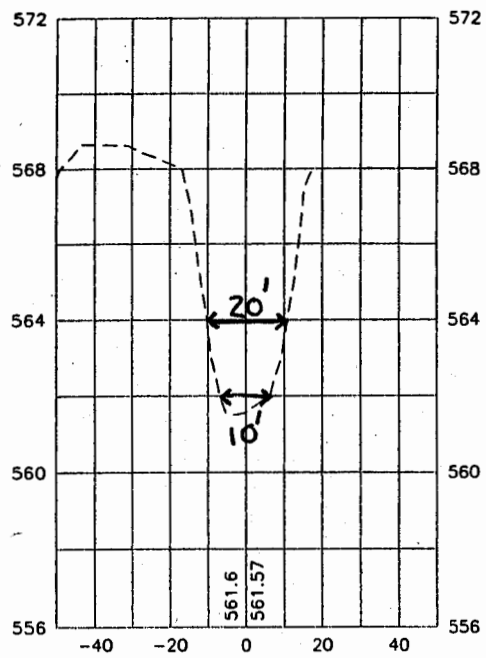
CLIENT  
NAME  
PROJECT ADDRESS  
CITY, ST. ZIP  
PHONE

DATE	PROJECT NO.

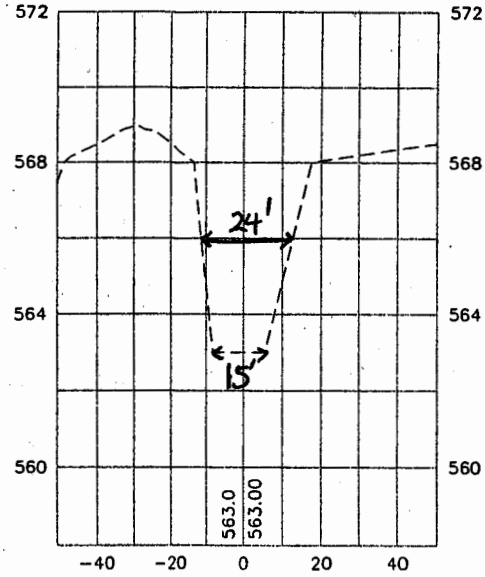
DATE	PROJECT NO.

C4.0  
DISTURBED  
EXISTING  
CHANNEL

3+28



4+57



Existing Channel Section to be Filled

**BDY** Broadbent, Dennis, Young  
& Associates, (TN) Inc.  
Environmental Consultants  
133 HOLIDAY COURT, SUITE 210, CHANDLER, TENNESSEE 37024  
Phone: (615) 599-1246 Fax: (615) 599-1303

**EXHIBIT C**  
**P/N 04-25 FILE NO. 2002-01792**  
**TYPICAL CHANNEL CROSS SECTIONS**  
**EXISTING AND PROPOSED**